



OFFICE OF THE PLACER COUNTY COUNSEL

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July 18, 2019

Dan Rubin
c/o MuckRock News
DEPT MR 76606
411A Highland Avenue
Somerville, MA 02144-2516

Re: Response to Public Records Act Request

Dear Mr. Rubin:

This letter is in response to your Public Records Act request received by the Placer County District Attorney's Office on or about July 8, 2019. The records sought by you include the following:

...all "Brady lists," "Giglio lists," "potential impeachment disclosure lists," or any similar compiled records or lists of records of the type set for in California Penal Code §832.7(b)(1)(C). Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency of dishonesty by a police officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.

Your request seeks records that are exempt from the Public Records Act. Specifically, the following exemptions apply: the Investigatory File Exemption (Gov. Code § 6254(f)); the Official Information Exemption (Gov. Code § 6254(k)); Material Made Confidential by Statute (Gov. Code §6254(k)). Please note that SB 1421 did not affect the County's legal authority to assert these exemptions for the *Brady* list. The reason for this is that while some SB 1421 material might be used to construct the *Brady* list, the *Brady* list itself is not SB 1421 material and therefore not subject to disclosure under SB 1421. As such, this concludes the District Attorney's response to your request.

Dan Rubin
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If you have any questions, or would like to discuss the contents of this letter in more detail, please contact me at the telephone number or address above.

Very truly yours,

OFFICE OF THE PLACER COUNTY COUNSEL

By: Julia M. Reeves
Julia M. Reeves,
Deputy County Counsel

JMR/jp